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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,308	07/09/2003	Michael R. Kamarauskas	A3-180 US	1856
23683	7590	08/10/2004	EXAMINER PRASAD, CHANDRIKA	
MOLEX INCORPORATED 2222 WELLINGTON COURT LISLE, IL 60532			ART UNIT 2839	

DATE MAILED: 08/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/616,308	KAMARAUSKAS ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Chandrika Prasad	2839	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2004.
- 2a) ☒ This action is **FINAL**.      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-25 and 29-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 and 29-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to amendments***

1. The reply filed 7/28/04 consists of amendments to claims 1, 13, 29, cancellation of claims 26-28 and remarks related to rejection of claims. The claims are not allowable as described below.

### ***Claim Objections***

2. Claim 29 is objected to because of the following informalities: "the housing" in line 5 has no antecedent basis. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Poole (6535671).

Poole shows a detachable optical module having a housing 110 with a passageway extending from a first end to a second end and an optical fiber 102 extending through the passageway to carry signal between an internal and an external assemblies mating (abutting) with the first and second ends of the housing.

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5. Claims 32-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Roth (6079881).

Roth (Figure 2) shows a shutter 36 with a thumb latch for covering a plurality of passageways of an optical fiber module.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2-5, 8-11, 13-16, 18-20, 23 and 30 are rejected under 35 U.S.C. 102(b) as being anticipated by Underwood et al (5737464) in view of Poole (6535671).

Underwood (Figures 1-7) shows an optical fiber module having a housing with a first end 22 and a second end 22; and the two ends of the housing mating with an internal and external assembly (not shown). The housing has an internal portion with first end and second end and an external portion with a first end and a second end and an intermediate portion with a first end and a second end joined together by clips 34. Figures 3-4 show a spacer 92 as an intermediate portion made integral with the end portions. Ferrules 14 are placed at least partially within the spacer. The intermediate portion has flanges at two sides made integral with end walls of the internal and external portion. Underwood shows a sleeve 20 with a portion positioned on an internal ferrule and a portion positioned on an external ferrule. The flange and end walls of the internal and external portion define a mounting aperture. Underwood further shows a mounting

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panel formed by end walls of two portions 32. But Underwood does not show an optical fiber in the module to carry signal between the external and internal assemblies. Poole shows such a configuration as described in Paragraph 4 above. It would have been obvious to one having ordinary skill in the art at the time of the instant invention to provide such a feature to Underwood's module because these would provide a means to remove the module without disturbing (removing) the internal and external assemblies as taught by Poole.

8. Claims 12, 21-22 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Underwood et al. (5737464) and Poole (6535671).

Underwood and Poole show all the features of these claims as described in Paragraph 7 above except sizes of the end wall and the flanges, the spacer to float in the passageway and a plurality of passageways. The instant invention does not provide any reasons or specific problem to be solved by these features. These features are well known in the art of optical fiber connectors. It would have been obvious to one having ordinary skill in the art at the time of the instant invention to provide these features to Underwood's optical module because these would require a mere change in size, a duplication and relation of an essential part which involve only routine skill in the art.

9. Claims 6-7, 17, 24 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Underwood et al. (5737464) and Poole (6535671).

Underwood and Poole show all the features of these claims as described in Paragraph 7 above except sizes of the end wall and the flanges, the spacer to float in the passageway and a plurality of passageways. The instant invention does not provide

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any reasons or specific problem to be solved by these features. These features are well known in the art of optical fiber connectors. It would have been obvious to one having ordinary skill in the art at the time of the instant invention to provide these features to Underwood's optical module because these would require a mere change in size, a duplication and relation of an essential part which involve only routine skill in the art.

### ***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

### ***Response to Arguments***

11. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lu (6296398), Underwood (5359688).

***Contact Information***

12. Any correspondence to this action may be mailed to:

**Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chandrika Prasad at (571) 272-2099. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor can be reached at (571) 272-2800 ext 39. The fax number is (703) 872-9306.



Chandrika Prasad  
Primary examiner  
August 09, 2004